

The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION, a Washington  
corporation,

Plaintiff,

v.

MOTOROLA, INC., and MOTOROLA  
MOBILITY LLC, and GENERAL  
INSTRUMENT CORPORATION,

Defendants.

CASE NO. C10-1823-JLR

DEFENDANTS' RESPONSE TO  
MICROSOFT'S 7/12/13 MOTION TO  
SEAL

**NOTED ON MOTION CALENDAR:  
Friday, July 26, 2013**

DEFENDANTS' RESPONSE TO MICROSOFT'S 7/12/13  
MOTION TO SEAL  
CASE NO. C10-1823-JLR

SUMMIT LAW GROUP PLLC  
315 FIFTH AVENUE SOUTH, SUITE 1000  
SEATTLE, WASHINGTON 98104-2682  
Telephone: (206) 676-7000  
Fax: (206) 676-7001

1 **I. INTRODUCTION**

2 Defendants Motorola, Inc. (now Motorola Solutions, Inc.), Motorola Mobility, Inc. and  
3 General Instrument Corp. (collectively “Motorola”) do not oppose Microsoft’s 7/12/13 Motion to  
4 Seal (Dkt. No. 739) regarding the following documents:

- 5 • Exhibit 1 to the Declaration of Christopher Wion in Support of Microsoft’s  
6 Opposition to Defendants’ Motion to Exclude and Strike Testimony of Todd  
7 Menenberg (“Wion *Daubert* Declaration”). Dkt. No. 746.
- 8 • Exhibit A to the Declaration of David Killough in Support of Microsoft’s  
9 Opposition to Motorola’s Motion for Partial Summary Judgment (“Killough  
10 Summary Judgment Declaration”). Dkt. No. 743.

11 **II. MOTOROLA DOES NOT OPPOSE MICROSOFT’S MOTION TO SEAL.**

12 Exhibit 1 to the Wion *Daubert* Declaration and Exhibit A to the Killough Summary  
13 Judgment Declaration are documents that Microsoft has requested remain sealed. Motorola takes  
14 no position at this time with respect to the propriety of Microsoft’s requests as to these documents.

15 **III. CONCLUSION**

16 Motorola does not oppose Microsoft’s 7/12/13 Motion to Seal (Dkt. No. 739). Nothing  
17 herein is intended as a waiver of Motorola’s right to contest Microsoft’s designation of material as  
18 Confidential Business Information in accordance with the terms of the Protective Order. Motorola  
19 expressly reserves the right to do so as the circumstances warrant.

1 DATED this 24th day of July, 2013.

2 Respectfully submitted,

3 SUMMIT LAW GROUP PLLC

4 By /s/ Ralph H. Palumbo

5 By /s/ Philip S. McCune

6 Ralph H. Palumbo, WSBA #04751

7 Philip S. McCune, WSBA #21081

8 *ralphp@summitlaw.com*

9 *philm@summitlaw.com*

10 By /s/ Thomas V. Miller

11 Thomas V. Miller

12 MOTOROLA MOBILITY LLC

13 600 North U.S. Highway 45

14 Libertyville, IL 60048-1286

15 (847) 523-2162

16 QUINN EMANUEL URQUHART &  
17 SULLIVAN, LLP

18 By /s/ Kathleen M. Sullivan

19 Kathleen M. Sullivan, NY #1804624

20 51 Madison Ave., 22<sup>nd</sup> Floor

21 New York, NY 10010

22 (212) 849-7000

23 *kathleensullivan@quinnemanuel.com*

24 By /s/ Brian C. Cannon

25 Brian C. Cannon, CA #193071

26 555 Twin Dolphin Drive, 5<sup>th</sup> Floor

Redwood Shores, CA 94065

(650) 801-5000

*briancannon@quinnemanuel.com*

By /s/ William C. Price

William C. Price, CA #108542  
865 S. Figueroa Street, 10<sup>th</sup> Floor  
Los Angeles, CA 90017  
(213) 443-3000  
*williamprice@quinnemanuel.com*

***Attorneys for Motorola Solutions, Inc.,  
Motorola Mobility LLC and General  
Instrument Corp.***

**CERTIFICATE OF SERVICE**

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Arthur W. Harrigan, Jr., Esq.  
Christopher T. Wion, Esq.  
Shane P. Cramer, Esq.  
Calfo Harrigan Leyh & Eakes LLP  
*arthurh@calfoharrigan.com*  
*chrisw@calfoharrigan.com*  
*shanec@calfoharrigan.com*

Richard A. Cederroth, Esq.  
Brian R. Nester, Esq.  
David T. Pritikin, Esq.  
Douglas I. Lewis, Esq.  
John W. McBride, Esq.  
William H. Baumgartner, Jr., Esq.  
David C. Giardina, Esq.  
Carter G. Phillips, Esq.  
Constantine L. Trela, Jr., Esq.  
Ellen S. Robbins, Esq.  
Nathaniel C. Love, Esq.  
Sidley Austin LLP  
*rcederroth@sidley.com*  
*bnester@sidley.com*  
*dpritikin@sidley.com*  
*dilewis@sidley.com*  
*jwmcbride@sidley.com*  
*wbaumgartner@sidley.com*  
*dgiardina@sidley.com*  
*cphillips@sidley.com*  
*ctrela@sidley.com*  
*erobbins@sidley.com*  
*nlove@sidley.com*

T. Andrew Culbert, Esq.  
David E. Killough, Esq.  
Microsoft Corp.  
*andycu@microsoft.com*  
*davkill@microsoft.com*

DATED this 24th day of July, 2013.

/s/ Marcia A. Ripley  
Marcia A. Ripley